

UNIVERSITY OF SWAZILAND
FACULTY OF SOCIAL SCIENCES
DEPARTMENT OF SOCIOLOGY AND SOCIAL WORK
FINAL EXAMINATION PAPER, MAY 2016

**TITLE OF PAPER : INTRODUCTION TO ELEMENTS OF LABOUR
LAW**

COURSE CODE : SOC410

TIME ALLOWED : TWO (2) HOURS

- INSTRUCTIONS :**
- 1. QUESTION ONE (1) IS COMPULSORY.**
 - 2. ANSWER ANY TWO (2) OF THE
REMAINING QUESTIONS.**
 - 3. ALL QUESTIONS CARRY EQUAL MARKS.**

**THIS PAPER IS NOT TO BE OPENED UNTIL PERMISSION HAS BEEN
GRANTED BY THE INVIGILATOR TO DO SO.**

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**1. (a) Explain five (5) essential elements of a
contract of service.**

**(b) Discuss five (5) circumstances under
which a contract of employment can
lawfully be brought to an end.**

(c) Distinguish between a review and an

**appeal as envisaged by the
Industrial Relations Act, 2000
(as amended).**

**(d) Differentiate between a dispute of right
and a dispute of interest.**

(e) Conciliation and arbitration.

**2. Distinguish between a contract of service
and a contract for services.**

**3. Explain the circumstances under which a
termination of a contract of employment can
both be substantively and procedurally unfair
and not according to the law.**

**4. Explain the due process followed in a
termination for operational requirements.**

**5. Identify one of the perspectives that is used
to explain an employment relationship and
discuss its assumptions, strengths and
weaknesses.**

**6. Explain the role of the Conciliation,
mediation and Arbitration Commission
(CMAC) in the arbitration of disputes in
Swaziland.**